

CARMELO MILLAN

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CARMELO MILLAN, individually, : CIVIL ACTION
and on Behalf of All Other :
Persons Similarly Situated :
Plaintiffs :

vs. :

CITIGROUP, INC., :
CITIGROUP TECHNOLOGY, INC. :
Defendants : NO. 07-CIV-3769

Wednesday, January 16, 2008

Deposition of CARMELO MILLAN, taken pursuant to
notice at the law office of Morgan, Lewis & Bockius,
LLP, 101 Park Avenue, New York, New York, on the above
date, beginning at approximately 10:00 a.m., before
Charles P. Carmody, Registered Professional Reporter
and Notary Public.

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1 PROCEEDINGS

2

3 CARMELO MILLAN,

4 having been first duly sworn, was examined and
5 testified as follows:

6

7 EXAMINATION

8

9 BY MS. BOUCHARD:

10 Q. Mr. Millan, my name is Sarah Bouchard, and
11 this is my colleague, Sarah Pontoski. Together we
12 represent CTI and Citigroup in the case that you've
13 brought against it.

14 Today we're going to be taking your
15 deposition. What that means is that the court reporter
16 is going to be taking down everything that you say.

17 So as a result, I need you to allow me to
18 complete my question before you begin to answer, so
19 that the court reporter can get down both completely,
20 the question and the answer.

21 Do you understand that?

22 A. Yes.

23 Q. Please speak clearly to each answer. The
24 court reporter can't take down nods of the head or

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1 visual inferences. So "yes," "no," and verbal
2 responses are the best answers.

3 Do you understand that?

4 A. Yes.

5 Q. If you don't understand or hear a question,
6 just let me know and I'll repeat it. If there's a term
7 that you don't understand, let me know that as well and
8 I'll try to explain it to you.

9 If you do answer a question, though, I'm
10 going to assume that you've understood it, unless you
11 tell me otherwise.

12 So please tell me if I ask a confusing
13 question or if you don't understand the question, okay?

14 A. That's fine, yes.

15 Q. If you're tired or if you need to take a
16 restroom break, this isn't an endurance contest, so
17 please feel free to do that.

18 All I ask is that you answer the questions
19 which I've posed to you that are pending, and then you
20 can take a break.

21 Do you understand that?

22 A. Yes.

23 Q. Your attorney at times may object to a
24 certain question that I'm asking. She will be noting

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1 the objection for the record.

2 Unless she specifically instructs you not to
3 answer, you should answer the question once her
4 objection is noted for the record.

5 Do you understand that?

6 A. Yes.

7 Q. Finally, you're under oath, which is no
8 different than if you were sitting in a courtroom in
9 front of a judge and jury.

10 Do you understand that?

11 A. Yes.

12 Q. Okay. Great.

13 Mr. Millan, are you on any medication that
14 would possibly impair your memory today?

15 A. No.

16 Q. Have you taken any medication today?

17 A. No.

18 Q. Is there any reason why your memory of past
19 events while you worked at CTI, would be impaired in
20 any way?

21 A. Not that I'm aware.

22 Q. Are you under a doctor's care for any
23 condition?

24 A. No.

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1 Q. Have you produced all documents relating to
2 your employment at CTI?

3 A. Everything I could, yes.

4 Q. We did not receive W-2s and tax information.
5 Do you still have that on record?

6 A. I probably have my 2006 W-2.

7 I have moved in the interim and I might have
8 misplaced, like, my 2005. I think my accountant might
9 have copies of it, but Citigroup should have copies of
10 it.

11 Q. What we're looking for specifically is your
12 tax returns, okay?

13 A. Yeah.

14 Q. Do you think you could get those from your
15 accountant?

16 A. Yes.

17 MS. WALSH: We'll take that under
18 advisement.

19 MS. BOUCHARD: Okay.

20 MS. WALSH: I'm sure we agreed to
21 produce the tax returns.

22 MS. BOUCHARD: Okay.

23 BY MS. BOUCHARD:

24 Q. The reason why we would be asking for the tax

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1 returns is to see if you had any other employment while
2 at Citigroup.

3 It goes to the hours worked and how much
4 potential overtime you may have worked if you had
5 another job.

6 A. I wasn't employed anywhere else other than
7 Citigroup for my entire career there.

8 Q. Do you recall receiving discovery requests in
9 this case?

10 A. What exactly is a discovery request?

11 I received interrogatories.

12 Q. Do you remember receiving the
13 interrogatories?

14 A. Yes.

15 Q. When about did you receive the
16 interrogatories?

17 A. I don't know. About two months ago, I think.

18 Q. Two months ago?

19 A. Yes.

20 Q. So would that be December?

21 A. No, I'm sorry. No.

22 MS. WALSH: This is January.

23 THE WITNESS: This is January. It
24 was probably sometime in November.

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1 BY MS. BOUCHARD:

2 Q. You received the interrogatories in November?

3 A. Yes.

4 MS. WALSH: If you don't recall
5 specifically, you can respond --

6 THE WITNESS: Yeah, I don't recall
7 specifically.

8 MS. WALSH: -- that you don't
9 recall.

10 BY MS. BOUCHARD:

11 Q. But it was sometime in November?

12 A. No, I can't -- you can't hold me to that. I
13 mean, I'm just saying more or less about two months
14 ago.

15 It could have been two -- anywhere from two
16 to four months ago. I know it's been in the past four
17 months.

18 Q. You provided answers to your attorneys about
19 those interrogatories?

20 A. Correct.

21 Q. Did you review those answers before they went
22 out?

23 A. Yes, I did.

24 Q. When about did you do that?

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1 A. I think about a month ago.

2 Q. Now, in your interrogatories you mentioned
3 various people that you thought had knowledge of your
4 claims.

5 A. Correct.

6 Q. One was Don Allecci.

7 For the record, that's A-L-L-E-C-C-I.

8 A. I believe that's the spelling, yeah.

9 Q. What does he have knowledge of with respect
10 to your claims?

11 A. Don was essentially a manager of Citigroup
12 and he was -- he was the CTI manager. So he was just
13 familiar with titles, job descriptions, job functions,
14 so on and so forth -- compensation practices.

15 Q. Did he have a day-to-day understanding of
16 what you did on a daily basis?

17 A. That, I wouldn't be able to tell you.

18 Q. Did he manage you directly?

19 A. No, he did not.

20 Q. You say he was the CTI head?

21 A. He was one of the three CTI technology heads.
22 In particular, he was the technology head, I'm not
23 mistaken, in charge of support.

24 (Whereupon, a discussion was held

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1 off the record.)

2 THE WITNESS: He was the technology
3 head in charge of support, of technology support.

4 BY MR. BOUCHARD:

5 Q. This is not a criticism, but, if you could,
6 just go a little slower for the court reporter, if
7 that's okay.

8 A. That's fine.

9 Q. Where was CTI located?

10 MS. WALSH: When?

11 BY MS. BOUCHARD:

12 Q. At the time of your resignation.

13 A. It was, I mean, everywhere.

14 I wouldn't be able to answer that quite
15 specifically, because from the standpoint -- what
16 aspect of CTI.

17 I mean, CTI was an organization that
18 supported Citigroup Technology, if I'm not mistaken.

19 So, it's like 90 percent of the technology
20 within Citigroup, right.

21 Q. Where did Don Allecci sit?

22 A. He sat at 388 Greenwich Street.

23 Q. Did you say 338 Greenwich Street?

24 A. 388.

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1 Q. 388 Greenwich Street?

2 A. Yes.

3 Q. That's in New York City?

4 A. Yes. It's downtown Manhattan. Tribeca.

5 Q. At the time of your resignation, where did
6 you work?

7 A. Warren, New Jersey.

8 Q. When did you start working in Warren, New
9 Jersey?

10 A. I think about 2005.

11 Q. Did you work in Warren through your
12 resignation in 2007?

13 A. Yes, I did.

14 Q. Who is Meredith Prange, P-R-A-N-G-E?

15 A. Meredith Prange, she was the managing
16 director for global engineering.

17 Q. What were her responsibilities, if you know?

18 A. She essentially was in charge of the global
19 engineering department.

20 Q. What was the global engineering department?

21 A. The global engineering department was the
22 department that created standards for Citigroup --
23 technology standards to Citigroup.

24 Q. Was that part of CTI?

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1 A. Yeah, I assume so.

2 Q. Did she have any day-to-day supervision over
3 you?

4 A. Not directly, no.

5 Q. Would she have knowledge of your job duties?

6 A. I would assume so, yeah.

7 Q. Why would you assume so?

8 A. Because I worked for her for -- I mean, the
9 lab was a large part of what global engineering did.
10 So she was aware of the fact that I was in the lab
11 supporting it.

12 Q. When you say, "the lab," do you mean the lab
13 in Warren, New Jersey?

14 A. No, the lab -- I mean -- I'm referring to the
15 lab as an entity, right. Like essentially what was
16 used to form the evaluations that global engineering
17 did, right.

18 So there was various lab facilities.
19 Initially, I started working out of 388 Greenwich, and
20 then eventually moved in to Warren.

21 Q. When did you start working at 388 Greenwich.

22 A. I think around 2005 -- no, I think it was
23 actually earlier than 2005. Probably 2003, probably.

24 Q. 2003?

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1 A. Yeah.

2 Q. Who is Doug Johnston?

3 A. Doug Johnston was the -- he was the first VP
4 in network integration, the group I worked for prior to
5 global engineering.

6 Q. When did you work in network integration?

7 A. The dates are listed on my resume. I don't
8 recall them exactly off the top of my head.

9 MS. BOUCHARD: Let's mark your
10 resume.

11 (Whereupon, a discussion was held
12 off the record.)

13 (Whereupon, Exhibit Millan-1 was
14 marked for identification.)

15 BY MS. BOUCHARD:

16 Q. Mr. Millan, what we've marked as Millan-1 is
17 a resume that you provided to us today, and you said
18 that we should be able to rely on the dates in your
19 resume as an accurate reflection of the times of
20 employment at CTI?

21 A. More or less, yeah.

22 MS. WALSH: I just wanted to note
23 an objection to the mischaracterization of his
24 testimony, but go ahead.

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1 BY MS. BOUCHARD:

2 Q. Is everything in your resume, true and
3 correct?

4 A. For the most part.

5 Q. What isn't true and correct?

6 A. I mean, the resume should accurately reflect
7 -- dates might be off by a month or two. I mean, as
8 far as recollection, it sounds great.

9 Q. So other than dates being off perhaps by a
10 month or two, are there any material errors in your
11 resume, that you're aware of?

12 A. What do you mean by material errors?

13 Q. I guess it's true and correct to the best of
14 your knowledge?

15 A. Yes.

16 Q. You prepared it?

17 A. Yeah.

18 Q. When did you prepare it?

19 A. Recently, I've been seeking employment. So I
20 was -- actually when I left Citigroup, I was trying to
21 be self employed and incorporate myself.

22 In the meantime, recently I've decided to
23 begin to look for work outside of that. So I've been
24 working on my resume. It's been an ongoing thing.

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1 Q. So when is the first time you started working
2 on your resume?

3 A. Probably say like a month ago.

4 Q. Did you ever get incorporated?

5 A. No.

6 Q. I'm going to come back to your resume, but
7 I'm going to finish off with some of the names that
8 you've listed in your interrogatories.

9 A. That's fine.

10 Q. You mentioned Garfield Spence.

11 A. Yes.

12 Q. Who is he?

13 A. He was the hiring manager who pretty much
14 gave me the job at Citigroup and gave -- he walked me
15 through my initial responsibilities there.

16 Q. Was he your direct or indirect manager in
17 network integration?

18 A. With all the re-orgs and stuff, at some point
19 he might have been my direct. At other points --

20 What do you mean by direct manager, because
21 we had team leads, we had VPs, we had assistant VPs.

22 Q. That's a good question.

23 Would the team leads have the most day-to-day
24 knowledge of your responsibilities?

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1 A. Yeah.

2 In which case, he was not a team lead.

3 Q. He was not a team lead?

4 A. No.

5 Q. So he may have some knowledge, but not what I
6 would call the most day-to-day knowledge?

7 A. No.

8 Q. Now, let's go to Richard Braunagel.

9 A. Yes.

10 Q. Who is he?

11 A. He was my initial day-to-day manager at
12 Citigroup.

13 Q. What about Thomas Saranello?

14 A. He was one of my day-to-day managers at
15 Citigroup as well, routinely.

16 Q. Paul Holder?

17 A. Paul Holder was my day-to-day manager when I
18 was in global engineering.

19 Q. What about Naseer Ibrahim?

20 Is that how you say his name?

21 A. Yes.

22 He was my coworker in the lab.

23 Q. When you say, the lab, do you mean at
24 Greenwich Street, or do you mean at Warren, New Jersey?

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1 A. Both.

2 Q. Both, okay.

3 So since 2003, was he your coworker?

4 A. No. I think he got hired on in 2005.

5 Q. Was your title in Warren lab coordinator?

6 A. No. Actually, my title was network engineer.

7 Q. Network engineer?

8 A. Yeah.

9 Which was not indicative of my job
10 responsibility. I was not engineering networks.

11 Q. Understood.

12 Was that the title of Naseer?

13 A. Maybe junior network engineer, for lack of a
14 better title.

15 Essentially, we were -- what had occurred in
16 the Warren lab -- well, in the lab facilities with
17 global engineering in general, was that they tried to
18 in-source the technology support for the facility
19 because it was costing them too much money.

20 I came from network integration. When I was
21 working in network integration, I was supporting the
22 lab facilities at 388 Greenwich for global engineering.

23 We supported the entire building from a
24 network standpoint, right. So as far as connections to

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1 the network, cabling, installing hardware, right. So
2 essentially I served in that capacity while I was in
3 network integration.

4 They realized that it was costing them too
5 much money due to the frequency of their changes.
6 Since it was a lab facility, they were receiving
7 equipment all the time, evaluating it in three-month
8 cycles and returning it, right.

9 So they created a position to support the lab
10 within global engineering. I went into that position.
11 They gave me a network engineering title. But in
12 essence, I was actually supporting the lab from the
13 same perspective, from a cabling, installation, you
14 know, helping them facilitate through a testing
15 standpoint.

16 **Q. I'm going to be asking you some more job**
17 **duties a little bit later.**

18 **A. That's fine.**

19 **Q. Was Naseer doing the same job duties as you?**

20 **A. Correct.**

21 **Q. I understand that you had responsibility for**
22 **the integration of the Warren lab.**

23 **Was he responsible for that?**

24 MS. WALSH: Objection to the form

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1 of the question.

2 Go ahead. You can answer.

3 THE WITNESS: What do you mean by
4 the integration of the lab?

5 BY MS. BOUCHARD:

6 Q. We'll go through your job descriptions in a
7 little bit.

8 But would you say that at all times that he
9 had the same job duties as you?

10 MS. WALSH: At all times?

11 BY MS. BOUCHARD:

12 Q. At all times when he was your coworker.

13 A. We were both essentially responsible in
14 support of the lab, yeah. That was our responsibility.

15 Q. I'll ask you some further questions about
16 that a little later.

17 Then in your interrogatories, you referenced
18 various telecom analysts?

19 A. Correct.

20 Q. What's a telecom analyst?

21 A. I think a better title would be a network
22 support person, because that's essentially what he did.

23 We were responsible for the cable plants, all
24 the cabling, all the computer cabling within a given

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1 Citigroup site that we were given to support.

2 So if a person had an issue with a network
3 connection and getting connectivity to the corporate
4 network or the company network, we would go there and
5 troubleshoot.

6 I mean, essentially, we'd use two primary
7 systems, a trouble ticketing system and a customer
8 service request system, which was proprietary to
9 Citigroup to receive direction on the work we were
10 performing.

11 **Q. How would you get the trouble ticket?**

12 **Where would that come from?**

13 A. The trouble tickets were received -- there
14 was various systems over the years. I mean,
15 essentially they all worked the same way.

16 You were assigned a queue -- depending on the
17 side that you worked on, you were assigned to a queue.
18 People would submit tickets to the help desk, support
19 tickets to the help desk.

20 The help desk tickets would then based on
21 location and source of the problem, be routed to the
22 appropriate support personnel.

23 **Q. So you wouldn't take the intake call in the**
24 **first instance, right?**

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1 A. No. The help desk would receive the call
2 initially.

3 Q. Now, in Interrogatory Number 2 you stated
4 that you worked 50 hours per week.

5 MS. WALSH: I'm just going to
6 object to what it actually says.

7 BY MS. BOUCHARD:

8 Q. Would you like me to read your response?

9 A. Sure.

10 MS. WALSH: Off the record.

11 (Whereupon, a discussion was held
12 off the record.)

13 BY MS. BOUCHARD:

14 Q. Mr. Millan, I'm sorry. I made a mistake.
15 It's Interrogatory 3.

16 You said that you estimated that between
17 June 1st, 2001, through the last date of your
18 employment, that you worked at least 50 hours per week.

19 Is that a correct statement?

20 A. It might fluctuate. But for the most part,
21 yeah.

22 Q. When might it have fluctuated?

23 A. That, I wouldn't be able to tell you.

24 I mean, I worked for Citigroup a long time.

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1 When I took vacations, if I was sick, if the workload
2 wasn't there, right.

3 But on average, I mean, we were instructed
4 actually to try and go 50 hours, right, especially when
5 the company was going through financial turmoil.

6 I mean, it was common knowledge within the
7 company.

8 **Q. When was the company going through financial**
9 **turmoil?**

10 A. Whenever the stock market was going through
11 issues, which was pretty much from like 2000, until
12 like -- well, they always made it seem like they were
13 going through turmoil.

14 **Q. Why would you have to work more in your**
15 **position if the stock was going through alleged**
16 **turmoil?**

17 MS. WALSH: Objection to the form.
18 Go ahead.

19 THE WITNESS: I would assume -- I
20 mean, I can't speculate -- I mean, I was just
21 basically going on what the conversations were,
22 right.

23 We were told to try to book 50 hours just
24 to maintain the workload, keep ourselves busy, so

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1 on and so forth, right.

2 BY MS. BOUCHARD:

3 Q. Were you selling Citigroup products?

4 A. No, I wasn't selling Citigroup products.

5 Q. So you were supporting those people that sold
6 Citigroup products through your support of their
7 computer systems, correct?

8 MS. WALSH: Object to the form.

9 THE WITNESS: I was supporting
10 computer networks. What the people did over the
11 computer networks, I wasn't necessarily aware of
12 because there was a lot of different departments
13 within Citigroup.

14 The nature of their business really
15 wasn't my concern.

16 BY MS. BOUCHARD:

17 Q. But you weren't in the business of selling
18 Citigroup or CTI products, your job responsibilities?

19 A. My job responsibility is to support the
20 network from a connection and connectivity standpoint,
21 right.

22 Q. Did you ever take any leaves of absence when
23 you were working there?

24 A. No.

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1 Q. Any weeks off for illness?

2 A. I took my vacation time.

3 Q. Did there ever come a time when you were
4 warned that you were taking too much time off?

5 A. Yeah, towards the end of my time at
6 Citigroup. The end of my career at Citigroup.

7 (Whereupon, a discussion was held
8 off the record.)

9 (Whereupon, Exhibit Millan-2 was
10 marked for identification.)

11 BY MS. BOUCHARD:

12 Q. Mr. Millan, what's been placed before you as
13 Exhibit 2 appears to be a formal written warning that
14 you received on September 6th, 2006.

15 What I want you to do is to read it, and then
16 we can talk about it. Read it to yourself, and then
17 we'll talk about it.

18 A. Okay.

19 Q. Have you read the second page as well?

20 A. I'm sorry.

21 Q. Have you read the document?

22 A. Yeah.

23 Q. Did you receive this document around this
24 time?

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1 A. Correct.

2 Q. Why were you coming in late and leaving
3 early?

4 A. Essentially, first --

5 MS. WALSH: Objection to the form.
6 Foundation.

7 THE WITNESS: First and foremost, I
8 mean, at the time I signed this I was really
9 contemplating leaving Citigroup, right.

10 This is 9/6/06. I was leaving Citigroup
11 by March -- I left Citigroup in March of '07.

12 We had hired -- they had hired two
13 consultants on, right. They were supposed to
14 keep them on for six months. Make them permanent
15 employees. They never did.

16 The validity of this really to me, and
17 the question at the time, I just received it and
18 pretty much signed it because I was stressed out
19 from the workload and the lack of fulfilled
20 promises that I had received while I was at
21 Citigroup.

22 I mean, I was on -- I received this in
23 '06. I was with global engineering since like
24 '03.

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1 And from the time I took the position, I
2 told them that in order for the actual job they
3 had envisioned to be possible, right, for it to
4 be a steppingstone into global engineering, and
5 into engineering responsibilities as opposed to
6 day-to-day, like, racking, stacking, and cabling
7 responsibilities, right, that they would need
8 more people to do it.

9 I mean, on the production side of the
10 company, essentially, like the business critical,
11 on the business side of the company, the
12 income-producing side of the company, right,
13 similar jobs in similar facilities, right, were
14 staffed by more people. So by telecommunications
15 analysts, not network engineers, right.

16 And like a facility the size of the
17 Warren facility, right, would typically be
18 staffed and really wasn't even telecommunications
19 analysts, you know, it's what Citigroup referred
20 to them as.

21 Really, what they were, were rack and
22 stack technicians and network support technicians
23 is what the industry would refer to them as.

24 BY MS. BOUCHARD:

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1 Q. Mr. Millan, I'm going to get into your job
2 duties in more detail --

3 MS. WALSH: Do you want to let him
4 answer the question or --

5 MS. BOUCHARD: Well, he really
6 isn't answering the question.

7 BY MS. BOUCHARD:

8 Q. What I want to know is why you were late and
9 left early.

10 MS. WALSH; Yes, he's answering the
11 question. It's not a simple yes/no.

12 Are you answering that question?

13 THE WITNESS: Yes, I'm answering
14 the question.

15 BY MS. BOUCHARD:

16 Q. So you were stressed out --

17 MS. WALSH: Are you finished
18 answering the question?

19 BY MS. BOUCHARD:

20 Q. -- because you were --

21 MS. WALSH: Can you let him finish
22 answering the question? He's not done.

23 MS. BOUCHARD: I'll let him finish.

24 BY MS. BOUCHARD:

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1 Q. So you were stressed out because you were
2 understaffed?

3 A. Essentially. And because the position had
4 never really turned into what they had offered me,
5 right.

6 Like what they had offered me, was a position
7 that I believe, if I'm not mistaken, that you have a
8 job description of what they had actually offered me,
9 right.

10 What it ended up being was what they
11 advertised when I left the company, right. Which was
12 more of an operational position as opposed to like a
13 steppingstone into engineering.

14 And I had had conversations with Amedeo about
15 staffing and, you know, essentially at that point I
16 felt abused, really, by the company.

17 Q. Can you turn to your resume, please?

18 A. That's fine.

19 Q. Let's turn to the second page.

20 I know you're not going to be able to give me
21 exact dates and times when you did this, but I want to
22 go through 1/3 through 3/7 that you listed here for
23 your job duties, and ask you when in time you did these
24 job duties, okay?

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1 When did you participate in the build-out and
2 daily operations in the first bullet point?

3 A. There in the Warren migration.

4 Q. The Warren migration?

5 A. Yes.

6 Q. When did that occur?

7 A. I'm assuming -- I believe we started to
8 prepare for it like a year prior to the date that we
9 moved in.

10 Q. So you moved in 2005?

11 A. Yeah.

12 Q. So you started the build-out process in 2004?

13 A. No. They made us aware that we were moving
14 in 2005. I wouldn't be able to tell you exact dates,
15 but we were made aware that we would be moving to
16 Warren.

17 We started collecting information, right, in
18 regards to the lab and the assets that we needed to
19 move, so on and so forth, which was my primary input
20 into it, right, what we needed to move, capacity based
21 on what we had.

22 So essentially I was helping to collect
23 information based on the stuff that I was already
24 supporting within the lab, right.

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1 Q. When you say, participated and implemented
2 the lab data center, is that relating to the Warren
3 migration too?

4 A. Correct.

5 Q. Consolidating and migrating five major
6 Citigroup global engineering labs to the Warren
7 facility, was that your responsibility as well?

8 A. No. That was done in conjunction with a lot
9 of people.

10 They had five different facilities -- lab
11 facilities in the metro area. I was responsible for
12 388 Greenwich.

13 Being that I would be a supporting lab in
14 Warren ultimately, they asked me to collect the
15 information of all the equipment that needed to move
16 from the tri-state labs to the Warren lab.

17 Q. Did you evaluate all incoming testing efforts
18 and build the proper environment or engage the proper
19 engineering discipline to assist in the test efforts?

20 A. Based on the engineer's direction, yes -- the
21 engineering staff's direction for 388 Greenwich at
22 least. And then eventually the Warren facility, right.

23 Q. When you were working with the engineers, how
24 many engineers were you working with in Warren?

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1 A. I think there was like three or 400 engineers
2 within, but not all three or 400 engineers were in the
3 lab at any given time.

4 I mean, they would come to us with a
5 requirement that they had for testing an implementation
6 plan, and we would receive the equipment and set it up
7 as they directed, right, based on their testing
8 requirements.

9 And if they needed help from somebody else
10 and weren't familiar -- I mean, there was 400
11 employees. They all didn't necessarily know each
12 other.

13 We were the central point in the lab taking
14 and processing requests, right. So we would tell them
15 who the proper people to deal with would be.

16 **Q. Did you ever help them troubleshoot?**

17 A. Yeah, we provided all of the network support
18 for the lab.

19 **Q. So you weren't just taking direction, you**
20 **were helping them solve problems, correct?**

21 MS. WALSH: Objection to the form.

22 THE WITNESS: I was providing
23 technology support, yes. I was helping them
24 solve problems.

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1 BY MS. BOUCHARD:

2 Q. You say in your resume, you configured,
3 maintained, documented and supported development
4 network.

5 What does that mean?

6 A. The lab network when we moved to Warren -- I
7 took on a lot of responsibilities besides my primary
8 responsibility of supporting the lab in Warren, right.

9 Q. That's what I was getting at with respect to
10 Naseer --

11 MS. WALSH: Hold on. He's not
12 done.

13 Let him finish answering the question
14 before you come in with another question.

15 MS. BOUCHARD: All right. Okay.

16 BY MS. BOUCHARD:

17 Q. Go ahead. Why don't you explain those
18 additional responsibilities.

19 A. That's not what I was doing.
20 I mean, you made me lose my train of thought.

21 Q. Okay. Go ahead.

22 A. Essentially, what was your question prior to
23 that.

24 MS. WALSH: Do you want to have the

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1 court reporter read it back?

2 MS. BOUCHARD: No. I'm going to
3 ask a different question.

4 BY MS. BOUCHARD:

5 Q. I had asked you from your resume, you said
6 that you configured, maintained, documented and
7 supported development network.

8 A. All right. When we were moving to Warren,
9 essentially we were responsible for maintaining the lab
10 network, right.

11 The lab network was essentially the
12 development network, right. So when we moved to
13 Warren, it was deemed that we would have a general lab
14 network that would be considered the primary network
15 for the lab and would not be used for testing purposes,
16 right.

17 Paul Holder engineered the network, gave me
18 the specs and the configurations for this network,
19 right.

20 We got together, placed the orders for the
21 equipment, installed the equipment. He gave me all the
22 configurations for the equipment.

23 I got the configurations on the equipment,
24 interconnected it, and made sure it came up from a

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1 connectivity standpoint -- from a network standpoint.

2 Q. So you got an initial design, but then you
3 planned the physical layout.

4 Is that a good way to put it?

5 MS. WALSH: Objection to the form
6 of the question.

7 THE WITNESS: No. I received the
8 design and configurations for the network, right.
9 And I just made sure that they were put on the
10 equipment.

11 BY MS. BOUCHARD:

12 Q. So it was per spec.

13 Is that what you're saying?

14 A. I don't recall, really, if there was issues
15 for him.

16 Q. Did you provide Paul any input in that
17 process?

18 A. Port capacity. So what we needed based on
19 the amount of equipment that we had, and we were moving
20 to Warren, more or less, the amount of network ports we
21 would need to house that.

22 Actually, in addition to that as well, the
23 different groups that were supported within the lab
24 were actually accounted for as well.

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1 So like the port capacity per group, that's
2 it.

3 (Whereupon, a discussion was held
4 off the record.)

5 (Whereupon, Exhibit Millan-3 was
6 marked for identification.)

7 BY MS. BOUCHARD:

8 Q. What's been marked as Millan-3 is your
9 performance evaluation for the period of July 1st,
10 2004, through December 31st, 2004.

11 Do you see that?

12 A. Yeah.

13 Q. Are you familiar with this document, or do
14 you need to read it?

15 A. I'll go through it.

16 Q. Okay.

17 (Whereupon, a discussion was held
18 off the record.)

19 BY MS. BOUCHARD:

20 Q. Looking at the first page, Section 1, "Key
21 Job Responsibilities," were those your key job
22 responsibilities?

23 A. The wording might be misleading, right. Let
24 me read them though.

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1 The context that they should be taken in,
2 right, is as far as equipment entering and leaving the
3 lab like management of CTIG lab migration to Warren,
4 right.

5 The equipment that I was supporting, right,
6 which was my responsibility to support from a technical
7 standpoint, right, it was the management of that
8 equipment, right, moving from the 388 facility to the
9 Warren facility.

10 **Q. Let me ask you a question with that.**

11 **How much equipment needed to be moved and**
12 **migrated to Warren, New Jersey?**

13 A. From the 388 labs, probably like a couple
14 hundred devices.

15 **Q. Any estimate on how much that equipment cost?**

16 A. We were -- we had to prepare a yearly
17 insurance questionnaire. I mean, the numbers varied,
18 but it was in the millions, essentially.

19 **Q. What about the other job responsibilities,**
20 **are those accurate?**

21 A. Coordination of all product development lab
22 activities for CTI GE, again, from a standpoint of --
23 no, not really, because it wasn't the coordination of
24 all product development lab activities, right.

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1 It was actually the installation and support,
2 right, of the equipment that allowed the product
3 development activities to take place.

4 **Q. Mr. Millan --**

5 MS. WALSH: I'm going to object.

6 You keep interrupting him before he's
7 finished his question.

8 MS. BOUCHARD: Can we --

9 MS. WALSH: I'm going to ask you to
10 give him the ability of allowing him to finish
11 his question.

12 MS. BOUCHARD: Sure.

13 BY MS. BOUCHARD:

14 **Q. Please, go ahead and finish.**

15 MS. WALSH: Or his answer, sorry.

16 BY MS. BOUCHARD:

17 **Q. Finish your answer.**

18 A. Again, it was the installation of the
19 equipment that allowed the product development lab
20 activities to take place.

21 My support in the lab was a support role. My
22 primary responsibilities in the lab were support roles.
23 I mean, what was envisioned, right, for the position,
24 right, and what actually was taking place on the ground

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1 were two different things.

2 Additional responsibilities beyond the
3 support responsibilities were thrown at me, and I was
4 told to deal with them, you know.

5 Was -- what -- I was -- throughout this
6 entire time, I was being told that they would be
7 staffing the lab properly, right, and that eventually
8 we would have a support team within the lab to handle
9 the support.

10 But really my entire time there, what I was
11 doing was supporting the lab. And on top of supporting
12 the lab, right, I was assisting in other issues, but
13 really it was all centric, right, to me being able to
14 support the lab.

15 If the lab wasn't functioning, I didn't have
16 a job, right, essentially.

17 **Q. So is it accurate to say that in addition to**
18 **supporting the lab, you had these other key job**
19 **responsibilities?**

20 MS. WALSH: Objection to the form.

21 THE WITNESS: No, it's not accurate
22 to say that.

23 BY MS. BOUCHARD:

24 **Q. Mr. Millan, when you received this year-end**

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1 performance review and you read these key job
2 responsibilities, did you speak to Mr. Holder and say,
3 no, these are not my job responsibilities, these are
4 misleading?

5 A. Essentially, the performance review process
6 in Citigroup was filled with inconsistencies.

7 They would decide the amount of money that we
8 were receiving sometime in December -- well, actually,
9 probably November.

10 Like late in the year in the fourth quarter,
11 they would decide the amount of money that we were
12 receiving and how they would divide it, right. And by
13 the time we would receive our review, the compensation
14 was already accounted for.

15 So realistically, when I looked at these
16 reviews, right, it was -- to me, it was irrelevant. It
17 was irrelevant to what was actually written on review,
18 what the performance was, because the numbers were
19 already actually in, right.

20 So this review, that was the big beef I had
21 with Citigroup as far as like their practices were
22 concerned, right.

23 They would turn around and determine their
24 compensation, and then give you the review. That makes

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1 no sense to me, right.

2 Q. That wasn't my question though, okay. I
3 appreciate that answer.

4 But my question was, did you ever tell
5 Mr. Holder after you read these key job
6 responsibilities that these job responsibilities are
7 misleading, these are not my job responsibilities?

8 A. It was not relevant. So I didn't take it in
9 that context.

10 Q. The question is, did you ever tell
11 Mr. Holder, I don't agree that these are my job
12 responsibilities?

13 It's a yes or no question.

14 A. I'm actually reflecting, right, upon
15 conversations we had regarding the review, right.

16 I wouldn't specifically be able to tell you
17 regarding this review.

18 But I knew throughout the course of our
19 professional relationship, I constantly asked Paul to
20 give me a proper job description -- on several
21 occasions, I asked Paul and Amedeo to give me proper
22 job descriptions, right, because the amount of
23 responsibility being thrown at me, right, pretty much
24 superceded, right, like what I was able to do based on

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1 the staffing and my support responsibilities, right.

2 So I might quite possibly had that
3 conversation with Paul, not directly in regards to this
4 review. I wouldn't be able to tell you that.

5 I can't recall if specifically I spoke to him
6 about this review, right, but I know that I had the
7 conversation with him about my job responsibilities in
8 general.

9 Q. Can you turn to page 4 of 5 of this document?

10 I'm looking at the section titled, "Overall
11 Performance Summary."

12 In the overall performance summary box, it
13 says, "Carmelo has been able to maintain good working
14 relationships with representatives from eight different
15 engineering disciplines whose requirements and
16 priorities often contradict each other."

17 Did you agree with that statement?

18 A. Yes.

19 Q. The next paragraph says, "Carmelo continues
20 to be an integral part of CTI Global Engineering
21 efforts and successes. The scope of Carmelo's job has
22 increased significantly over the last six months. In
23 addition to his overwhelming day-to-day
24 responsibilities, he assumed responsibility for the